

AMENDMENTS TO LB 911

Introduced by Transportation and Telecommunications.

1 1. Strike the original sections and insert the following
2 new sections:

3 Section 1. Section 60-462, Revised Statutes Supplement,
4 2007, is amended to read:

5 60-462 Sections 60-462 to 60-4,188 and sections 2, 4 to
6 6, and 8 of this act shall be known and may be cited as the Motor
7 Vehicle Operator's License Act.

8 Sec. 2. It is the intent of the Legislature that the
9 department develop, implement, and maintain processes for the
10 issuance of operators' licenses and state identification cards
11 designed to protect the identity of applicants for and holders
12 of such licenses and cards and reduce identity theft, fraud,
13 forgery, and counterfeiting to the maximum extent possible with
14 respect to such licenses and cards. The director shall designate an
15 implementation date for such processes which date is on or before
16 April 1, 2009. The department shall adopt security and technology
17 practices to enhance the enrollment, production, data storage,
18 and credentialing system of such licenses and cards in order to
19 maximize the integrity of the process.

20 Sec. 3. Section 60-463, Revised Statutes Supplement,
21 2007, is amended to read:

22 60-463 For purposes of the Motor Vehicle Operator's
23 License Act, the definitions found in sections 60-463.01 to 60-478

1 and sections 4 to 6 of this act shall be used.

2 Sec. 4. Department means the Department of Motor
3 Vehicles.

4 Sec. 5. Full legal name means an individual's first
5 name, middle name, and last or surname without use of initials or
6 nicknames.

7 Sec. 6. Principal residence means the location in
8 Nebraska where a person resides at the time of application even
9 if such residence is temporary.

10 Sec. 7. Section 60-479, Reissue Revised Statutes of
11 Nebraska, is amended to read:

12 60-479 Sections 60-480 to 60-4,111.01 and 60-4,182 to
13 60-4,188 and section 8 of this act shall apply to any operator's
14 license subject to the Motor Vehicle Operator's License Act.

15 Sec. 8. This section applies beginning on an
16 implementation date designated by the director pursuant to section
17 2 of this act. All persons handling source documents or engaged in
18 the issuance of new, renewed, or reissued operators' licenses or
19 state identification cards shall have periodic fraudulent document
20 recognition training.

21 Sec. 9. Section 60-484, Revised Statutes Cumulative
22 Supplement, 2006, is amended to read:

23 60-484 ~~(1)~~ (1)(a) This subsection applies until the
24 implementation date designated by the director pursuant to section
25 2 of this act. Except as otherwise provided in the Motor Vehicle
26 Operator's License Act, no resident of the State of Nebraska shall
27 operate a motor vehicle upon the alleys or highways of the State

1 of Nebraska until the person has obtained an operator's license for
2 that purpose.

3 ~~(2)~~ (b) Application for an operator's license may be
4 made in a manner prescribed by the ~~Department of Motor Vehicles~~
5 department. Such application may be made to an examiner in any
6 county. The examiner shall personally conduct the examination
7 of the applicant and deliver to each successful applicant an
8 examiner's certificate containing the statements made pursuant to
9 ~~subsection (3)~~ subdivision (c) of this ~~section~~ subsection.

10 ~~(3)~~ (c) In addition to any other information and
11 questions necessary to comply with the requirements and purposes of
12 the act, the applicant ~~(a)~~ (i) shall provide his or her name, age,
13 post office address, place of residence unless the applicant is a
14 program participant under the Address Confidentiality Act, date of
15 birth, ~~sex~~, gender, social security number, and brief description
16 of himself or herself, ~~(b)~~ (ii) may complete the voter registration
17 portion pursuant to section 32-308, ~~(e)~~ (iii) shall be provided the
18 advisement language required by subsection (5) of section 60-6,197,
19 ~~(d)~~ (iv) shall answer the following:

20 ~~(i)~~ (A) Have you within the last three months (e.g. due
21 to diabetes, epilepsy, mental illness, head injury, stroke, heart
22 condition, neurological disease, etc.):

23 ~~(A)~~ (I) lost voluntary control or consciousness ... yes
24 ... no

25 ~~(B)~~ (II) experienced vertigo or multiple episodes of
26 dizziness or fainting ... yes ... no

27 ~~(C)~~ (III) experienced disorientation ... yes ... no

1 ~~(D)~~ (IV) experienced seizures ... yes ... no

2 ~~(E)~~ (V) experienced impairment of memory, memory loss ...

3 yes ... no

4 Please explain:

5 ~~(ii)~~ (B) Do you experience any condition which affects

6 your ability to operate a motor vehicle? (e.g. due to loss of, or

7 impairment of, foot, leg, hand, arm; neurological or neuromuscular

8 disease, etc.) ... yes ... no

9 Please explain:

10 ~~(iii)~~ (C) Since the issuance of your last driver's

11 license/permit has your health or medical condition changed or

12 worsened? ... yes ... no

13 Please explain, including how the above affects your

14 ability to drive:, and ~~(e)~~ (v) may answer

15 the following:

16 ~~(i)~~ (A) Do you wish to register to vote as part of this

17 application process?

18 OPTIONAL - YOU ARE NOT REQUIRED TO ANSWER ANY OF THE

19 FOLLOWING QUESTIONS:

20 ~~(ii)~~ (B) Do you wish to be an organ and tissue donor?

21 ~~(iii)~~ (C) Do you wish to receive any additional specific

22 information regarding organ and tissue donation and the Donor

23 Registry of Nebraska?

24 ~~(iv)~~ (D) Do you wish to donate \$1 to promote the Organ

25 and Tissue Donor Awareness and Education Fund?

26 ~~(4)~~ (d) Application for an operator's license shall be

27 made under oath or affirmation of the applicant.

1 ~~(5)~~ (e) The social security number shall not be printed
2 on the operator's license and shall be used only ~~(a)~~ (i) to furnish
3 driver record information to the United States Selective Service
4 System under section 60-483, ~~(b)~~ (ii) with the permission of the
5 director in connection with the verification of the status of an
6 individual's driving record in this state or any other state, ~~(c)~~
7 (iii) for purposes of child support enforcement pursuant to section
8 42-358.08 or 43-512.06, or ~~(d)~~ beginning on an implementation date
9 designated by the director, (iv) to furnish information regarding
10 an applicant for or holder of a commercial driver's license with
11 a hazardous materials endorsement to the Transportation Security
12 Administration of the United States Department of Homeland Security
13 or its agent.

14 ~~(6)~~~~(a)~~ (f) (i) Except for an individual under the age
15 of eighteen years, each individual applying for an operator's
16 license or a state identification card shall furnish proof of date
17 of birth and identity by a valid Nebraska operator's license, a
18 valid Nebraska learner's permit, a valid Nebraska school permit,
19 a valid operator's license from another state or jurisdiction of
20 the United States, a certified birth certificate, a certified birth
21 registration, a valid United States passport, a valid United States
22 military identification card, United States military discharge
23 papers, other United States-based identification as approved by
24 the director, or information preserved in the digital system
25 implemented under section 60-484.01.

26 ~~(b)~~ (ii) Any individual under the age of eighteen years
27 applying for an operator's license or a state identification card

1 shall provide a certified copy of his or her birth certificate,
2 a certified birth registration, or other reliable proof of his or
3 her identity and age accompanied by a certification signed by a
4 parent or guardian explaining the inability to produce a copy of
5 such birth certificate. The applicant may be required to furnish
6 proof to the examiner that the parent or guardian signing the
7 certification is in fact the parent or guardian of such applicant.

8 (2) (a) This subsection applies beginning on the
9 implementation date designated by the director pursuant to section
10 2 of this act. Except as otherwise provided in the Motor Vehicle
11 Operator's License Act, no resident of the State of Nebraska shall
12 operate a motor vehicle upon the alleys or highways of this state
13 until the person has obtained an operator's license for that
14 purpose.

15 (b) Application for an operator's license or a state
16 identification card shall be made in a manner prescribed by the
17 department. Such application may be made to department personnel in
18 any county. Department personnel shall conduct the examination of
19 the applicant and deliver to each successful applicant an issuance
20 certificate containing the statements made pursuant to subdivision
21 (c) of this subsection.

22 (c) The applicant (i) shall provide his or her full
23 legal name, date of birth, mailing address, gender, and social
24 security number, two forms of proof of address of his or her
25 principal residence unless the applicant is a program participant
26 under the Address Confidentiality Act, evidence of identity as
27 required by subdivision (2) (f) of this subsection, and a brief

1 physical description of himself or herself, (ii) may complete the
2 voter registration portion pursuant to section 32-308, (iii) shall
3 be provided the advisement language required by subsection (5) of
4 section 60-6,197, (iv) shall answer the following:

5 (A) Have you within the last three months (e.g. due
6 to diabetes, epilepsy, mental illness, head injury, strike, heart
7 condition, neurological disease, etc.):

8 (I) lost voluntary control or consciousness ... yes ...
9 no

10 (II) experienced vertigo or multiple episodes of
11 dizziness or fainting ... yes ... no

12 (III) experienced disorientation ... yes ... no

13 (IV) experienced seizures ... yes ... no

14 (V) experienced impairment of memory, memory loss ... yes
15 ... no

16 Please explain:

17 (B) Do you experience any condition which affects your
18 ability to operate a motor vehicle? (e.g. due to loss of, or
19 impairment of, foot, leg, hand, arm; neurological or neuromuscular
20 disease, etc.) ... yes ... no

21 Please explain:

22 (C) Since the issuance of your last driver's
23 license/permit, has your health or medical condition changed or
24 worsened? ... yes ... no

25 Please explain, including how the above affects your
26 ability to drive:, and (v) may answer the
27 following:

1 (A) Do you wish to register to vote as part of this
2 application process?

3 OPTIONAL - YOU ARE NOT REQUIRED TO ANSWER ANY OF THE
4 FOLLOWING QUESTIONS:

5 (B) Do you wish to be an organ and tissue donor?

6 (C) Do you wish to receive any additional specific
7 information regarding organ and tissue donation and the Donor
8 Registry of Nebraska?

9 (D) Do you wish to donate \$1 to promote the Organ and
10 Tissue Donor Awareness and Education Fund?

11 (d) Application for an operator's license or state
12 identification card shall include a signed oath, affirmation,
13 or declaration of the applicant that the information provided on
14 the application for the license or card is true and correct.

15 (e) The social security number shall not be printed on
16 the operator's license or state identification card and shall be
17 used only (i) to furnish information to the United States Selective
18 Service System under section 60-483, (ii) with the permission of
19 the director in connection with the verification of the status of
20 an individual's driving record in this state or any other state,
21 (iii) for purposes of child support enforcement pursuant to section
22 42-358.08 or 43-512.06, or (iv) to furnish information regarding
23 an applicant for or holder of a commercial driver's license with
24 a hazardous materials endorsement to the Transportation Security
25 Administration of the United States Department of Homeland Security
26 or its agent.

27 (f) (i) Each individual applying for an operator's license

1 or a state identification card shall furnish proof of date of
2 birth and identity with documents containing a photograph or with
3 nonphoto identity documents which include his or her full legal
4 name and date of birth. Such documents shall include, but not be
5 limited to, any valid Nebraska operator's license or Nebraska state
6 identification card, a valid operator's license or identification
7 card from another state or jurisdiction of the United States, a
8 certified birth certificate, a valid United States passport, or
9 any other United States-based identification as approved by the
10 director.

11 (ii) Any individual under the age of eighteen years
12 applying for an operator's license or a state identification card
13 shall provide a certified copy of his or her birth certificate
14 or, if such individual is unable to provide a certified copy of
15 his or her birth certificate, other reliable proof of his or her
16 identity and age, as required in subdivision (2)(f)(i) of this
17 section, accompanied by a certification signed by a parent or
18 guardian explaining the inability to produce a copy of such birth
19 certificate. The applicant also may be required to furnish proof
20 to department personnel that the parent or guardian signing the
21 certification is in fact the parent or guardian of such applicant.

22 (iii) An applicant may present other documents as proof
23 of identification and age designated by the director. Any documents
24 accepted shall be recorded according to a written exceptions
25 process established by the director.

26 Sec. 10. Section 60-4,112, Reissue Revised Statutes of
27 Nebraska, is amended to read:

1 60-4,112 Sections ~~60-4,113~~ 60-4,114, 60-4,116, and
2 60-4,118 to 60-4,130.05 shall apply to the operation of any motor
3 vehicle except a commercial motor vehicle.

4 Sec. 11. Section 60-4,113, Reissue Revised Statutes of
5 Nebraska, is amended to read:

6 60-4,113 ~~is~~ (1) This subsection applies until the
7 implementation date designated by the director pursuant to section
8 2 of this act. In and for each county in the State of Nebraska,
9 the director shall appoint as his or her agents one or more
10 examiners who shall examine all applicants for an operator's
11 license as provided in section 60-4,114 except as otherwise
12 provided in subsection (8) of section 60-4,122. The director may,
13 in his or her discretion, also appoint one or more examining
14 officers with similar powers as are set forth in section 60-4,114.
15 The same examiner may be assigned to one or more counties by
16 the director. Each county shall furnish office space for the
17 administration of the operator's license examination. The examiner
18 shall ~~actually~~ conduct the examination of applicants and deliver to
19 each successful applicant a certificate entitling such applicant to
20 secure an operator's license. If the examiner refuses to issue such
21 certificate for cause, he or she shall state such cause in writing
22 and deliver the same to the applicant. The successful applicant
23 shall, within ninety days, present his or her certificate to the
24 county treasurer who shall immediately issue the operator's license
25 and collect the fee therefor. ~~The certificate shall be presented~~
26 ~~in the applicant's county of residence until the Department of~~
27 ~~Motor Vehicles has established the appropriate procedures for the~~

1 ~~certificate to be presented to the county treasurer of any county~~
2 ~~which shall be not later than January 1, 2003.~~ The county treasurer
3 shall report the issuance of such licenses to the ~~Department of~~
4 ~~Motor Vehicles~~ department within five days after issuance.

5 (2) (a) This subsection applies beginning on the
6 implementation date designated by the director pursuant to section
7 2 of this act. In and for each county in the State of Nebraska,
8 the director shall appoint as his or her agents one or more
9 department personnel who shall examine all applicants for a
10 state identification card or an operator's license as provided
11 in section 60-4,114 except as otherwise provided in subsection
12 (8) of section 60-4,122. The same department personnel may be
13 assigned to one or more counties by the director. Each county
14 shall furnish office space for the administration of the operator's
15 license examination. The department personnel shall conduct the
16 examination of applicants and deliver to each successful applicant
17 an issuance certificate. The certificate may be presented to the
18 county treasurer of any county within ninety days after issuance,
19 and the county treasurer shall collect the fee and surcharge as
20 provided in section 60-4,115 and issue a receipt which is valid for
21 up to thirty days. If an operator's license is being issued, the
22 receipt shall also authorize driving privileges for such thirty-day
23 period. Upon verification of payment, department personnel shall
24 cause a state identification card or an operator's license to be
25 delivered to the applicant as provided in subdivision (b) of this
26 subsection. The county treasurer shall report the collection of
27 such fee and surcharge to the department within five days. If the

1 department personnel refuse to issue an issuance certificate for
2 cause, the department personnel shall state such cause in writing
3 and deliver such written cause to the applicant.

4 (b) The department may provide for the central production
5 and issuance of operators' licenses and state identification cards.
6 Production shall take place at a secure production facility
7 designated by the director. The licenses and cards shall be of
8 such a design and produced in such a way as to discourage, to the
9 maximum extent possible, fraud in applicant enrollment, identity
10 theft, and the forgery and counterfeiting of such licenses and
11 cards. Delivery of an operator's license or state identification
12 card shall be to the mailing address provided by the applicant at
13 the time of application.

14 Sec. 12. Section 60-4,115, Revised Statutes Cumulative
15 Supplement, 2006, is amended to read:

16 60-4,115 (1) Fees for operators' licenses and state
17 identification cards shall be collected and distributed according
18 to the table in subsection (2) of this section. County officials
19 shall remit the county portion of the fees collected to the county
20 treasurer for placement in the county general fund. All other fees
21 collected shall be remitted to the State Treasurer for credit to
22 the appropriate fund. The State Treasurer shall transfer an amount
23 equal to three dollars and fifty cents times the number of original
24 or renewal Class M licenses issued pursuant to section 60-4,127
25 during the previous year from the Department of Motor Vehicles Cash
26 Fund to the Motorcycle Safety Education Fund.

27 (2) The fees provided in this subsection in the

1 following dollar amounts apply for operators' licenses and state
 2 identification cards.

3	4	Department			
		5 Document	County of Motor		State
			Total	General Vehicles	General
6		Fee	Fund	Cash Fund	Fund
7	State identification card:				
8	Valid for 1 year or less	4.75	2.75	1.00	1.00
9	Valid for more than 1 year				
10	but not more than 2 years	9.50	2.75	3.50	3.25
11	Valid for more than 2 years				
12	but not more than 3 years	14.25	2.75	5.50	6.00
13	<u>Valid for 1 year or less</u>	<u>5.00</u>	<u>2.75</u>	<u>1.25</u>	<u>1.00</u>
14	<u>Valid for more than 1 year</u>				
15	<u>but not more than 2 years</u>	<u>10.00</u>	<u>2.75</u>	<u>4.00</u>	<u>3.25</u>
16	<u>Valid for more than 2 years</u>				
17	<u>but not more than 3 years</u>	<u>14.00</u>	<u>2.75</u>	<u>5.25</u>	<u>6.00</u>
18	Valid for more than 3 years				
19	but not more than 4 years	19.00	2.75	8.00	8.25
20	Valid for more than 4 years				
21	for person under 21	23.75	2.75	10.00	11.00
22	Valid for 5 years	23.75	3.50	10.00	10.25
23	Duplicate or replacement	11.25	2.75	6.25	2.25
24	Class O or M operator's license:				
25	Valid for 1 year or less	4.75	2.75	1.00	1.00
26	Valid for more than 1 year				
27	but not more than 2 years	9.50	2.75	3.50	3.25

1	Valid for more than 2 years				
2	but not more than 3 years	14.25	2.75	5.50	6.00
3	Valid for more than 3 years				
4	but not more than 4 years	19.00	2.75	8.00	8.25
5	Valid for 5 years	23.75	3.50	10.00	10.25
6	Bioptic or telescopic lens restriction:				
7	Valid for 1 year or less	4.75	0	4.75	0
8	Valid for more than 1 year				
9	but not more than 2 years	9.50	2.75	3.50	3.25
10	Duplicate or replacement	11.25	2.75	6.25	2.25
11	<u>Valid for more than 4 years</u>				
12	<u>for person under 21</u>	24.00	2.75	10.25	11.00
13	<u>Valid for 5 years</u>	24.00	3.50	10.25	10.25
14	<u>Duplicate or replacement</u>	11.00	2.75	6.00	2.25
15	<u>Class O or M operator's license:</u>				
16	<u>Valid for 1 year or less</u>	5.00	2.75	1.25	1.00
17	<u>Valid for more than 1 year</u>				
18	<u>but not more than 2 years</u>	10.00	2.75	4.00	3.25
19	<u>Valid for more than 2 years</u>				
20	<u>but not more than 3 years</u>	14.00	2.75	5.25	6.00
21	<u>Valid for more than 3 years</u>				
22	<u>but not more than 4 years</u>	19.00	2.75	8.00	8.25
23	<u>Valid for 5 years</u>	24.00	3.50	10.25	10.25
24	<u>Bioptic or telescopic lens restriction:</u>				
25	<u>Valid for 1 year or less</u>	5.00	0	5.00	0
26	<u>Valid for more than 1 year</u>				
27	<u>but not more than 2 years</u>	10.00	2.75	4.00	3.25

1	<u>Duplicate or replacement</u>	<u>11.00</u>	<u>2.75</u>	<u>6.00</u>	<u>2.25</u>
2	Change of class or restriction	5.00	0	5.00	0
3	Provisional operator's permit:				
4	Original	15.00	2.75	12.25	0
5	Bioptic or telescopic lens restriction:				
6	Valid for 1 year or less	4.75	0	4.75	0
7	<u>Valid for 1 year or less</u>	<u>5.00</u>	<u>0</u>	<u>5.00</u>	<u>0</u>
8	Valid for more than 1 year				
9	but not more than 2 years	15.00	2.75	12.25	0
10	Duplicate or replacement	11.25	2.75	6.25	2.25
11	<u>Duplicate or replacement</u>	<u>11.00</u>	<u>2.75</u>	<u>6.00</u>	<u>2.25</u>
12	LPD-learner's permit:				
13	Original	8.00	.25	5.00	2.75
14	Duplicate or replacement	11.25	2.75	6.25	2.25
15	<u>Duplicate or replacement</u>	<u>11.00</u>	<u>2.75</u>	<u>6.00</u>	<u>2.25</u>
16	LPE-learner's permit:				
17	Original	8.00	.25	5.00	2.75
18	Duplicate or replacement	11.25	2.75	6.25	2.25
19	<u>Duplicate or replacement</u>	<u>11.00</u>	<u>2.75</u>	<u>6.00</u>	<u>2.25</u>
20	School permit:				
21	Original	8.00	.25	5.00	2.75
22	Duplicate	11.25	2.75	6.25	2.25
23	<u>Duplicate</u>	<u>11.00</u>	<u>2.75</u>	<u>6.00</u>	<u>2.25</u>
24	Farm permit:				
25	Original or renewal	5.00	.25	0	4.75
26	Duplicate	5.00	.25	0	4.75
27	Temporary	5.00	.25	0	4.75

1	Driving permits:				
2	Employment	45.00	0	5.00	40.00
3	Medical hardship	45.00	0	5.00	40.00
4	Commercial driver's license:				
5	Valid for 1 year or less	11.00	1.75	5.00	4.25
6	Valid for more than 1 year				
7	but not more than 2 years	22.00	1.75	5.00	15.25
8	Valid for more than 2 years				
9	but not more than 3 years	33.00	1.75	5.00	26.25
10	Valid for more than 3 years				
11	but not more than 4 years	44.00	1.75	5.00	37.25
12	Valid for 5 years	55.00	1.75	5.00	48.25
13	Bioptic or telescopic lens restriction:				
14	Valid for one year or less	11.00	1.75	5.00	4.25
15	Valid for more than 1 year				
16	but not more than 2 years	22.00	1.75	5.00	15.25
17	Duplicate or replacement	11.25	2.75	6.25	2.25
18	Change of class, endorsement,				
19	or restriction	10.00	1.75	5.00	3.25
20	<u>Duplicate or replacement</u>	<u>11.00</u>	<u>2.75</u>	<u>6.00</u>	<u>2.25</u>
21	<u>Add, change, or remove class,</u>				
22	<u>endorsement, or restriction</u>	<u>10.00</u>	<u>1.75</u>	<u>5.00</u>	<u>3.25</u>
23	LPC-learner's permit:				
24	Original or renewal	10.00	.25	5.00	4.75
25	Duplicate or replacement	10.00	.25	5.00	4.75
26	Change of class, endorsement,				
27	or restriction	10.00	.25	5.00	4.75

1	<u>Add, change, or remove class,</u>				
2	<u>endorsement, or restriction</u>	<u>10.00</u>	<u>.25</u>	<u>5.00</u>	<u>4.75</u>
3	Seasonal permit:				
4	Original or renewal	10.00	.25	5.00	4.75
5	Duplicate or replacement	10.00	.25	5.00	4.75
6	Change of class, endorsement,				
7	or restriction	10.00	.25	5.00	4.75
8	<u>Add, change, or remove class,</u>				
9	<u>endorsement, or restriction</u>	<u>10.00</u>	<u>.25</u>	<u>5.00</u>	<u>4.75</u>
10	<u>School bus permit:</u>				
11	<u>Original or renewal</u>	<u>5.00</u>	<u>0</u>	<u>5.00</u>	<u>0</u>
12	<u>Duplicate or replacement</u>	<u>5.00</u>	<u>0</u>	<u>5.00</u>	<u>0</u>
13	<u>Add, change, or remove class,</u>				
14	<u>endorsement, or restriction</u>	<u>5.00</u>	<u>0</u>	<u>5.00</u>	<u>0</u>

15 (3) If the ~~Department of Motor Vehicles~~ department
16 issues an operator's license or a state identification card,
17 the department shall remit the county portion of the fees to the
18 State Treasurer for credit to the Department of Motor Vehicles Cash
19 Fund.

20 (4) This subsection applies beginning on the
21 implementation date designated by the director pursuant to
22 section 2 of this act. The department and its agents may collect
23 an identity security surcharge to cover the cost of security and
24 technology practices used to protect the identity of applicants for
25 and holders of operators' licenses and state identification cards
26 and to reduce identity theft, fraud, and forgery and counterfeiting
27 of such licenses and cards to the maximum extent possible. The

1 surcharge shall be in addition to all other required fees for
2 operators' licenses and state identification cards. The amount of
3 the surcharge shall be determined by the department. The surcharge
4 shall not exceed eight dollars. The surcharge shall be remitted to
5 the State Treasurer for credit to the Department of Motor Vehicles
6 Cash Fund.

7 Sec. 13. Section 60-4,117, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 60-4,117 ~~(1)~~ Upon (1)(a) This subsection applies until
10 the implementation date designated by the director pursuant to
11 section 2 of this act. Upon presentation of the certificate for an
12 operator's license issued by the examining officer to the applicant
13 for such license, the county treasurer shall issue such license to
14 the applicant. The license shall be in full force and effect until
15 the expiration date thereon, until officially revoked, suspended,
16 canceled by an order of the director, or until ordered revoked or
17 impounded by a court of competent jurisdiction.

18 ~~(2)~~ (b) The operator's license shall be in a form
19 prescribed by the Department of Motor Vehicles. department. The
20 license may include security features prescribed by the department.
21 The license shall be conspicuously marked Nebraska Operator's
22 License, shall be, to the maximum extent practicable, tamper proof,
23 and shall include the following information:

24 ~~(a)~~ (i) The name and residential and post office address
25 of the holder;

26 ~~(b)~~ (ii) The holder's color photograph or digital image;

27 ~~(c)~~ (iii) A physical description of the holder, including

1 sex, height, weight, and eye and hair colors;

2 ~~(d)~~ (iv) The holder's date of birth;

3 ~~(e)~~ (v) The holder's signature;

4 ~~(f)~~ (vi) The class of motor vehicle which the holder is
5 authorized to operate and any endorsements or restrictions;

6 ~~(g)~~ (vii) The dates between which the license is valid;

7 ~~(h)~~ (viii) The organ and tissue donation information
8 specified in section 60-494; and

9 ~~(i)~~ (ix) Such other facts and information as the director
10 may determine.

11 ~~(3)~~ (c) Machine-readable information encoded on an
12 operator's license shall be limited to the information appearing
13 on the face of the license.

14 (2) (a) This subsection applies beginning on the
15 implementation date designated by the director pursuant to section
16 2 of this act. Upon presentation of an issuance certificate for
17 an operator's license or state identification card issued by
18 department personnel to the applicant, the county treasurer shall
19 collect the applicable fee and surcharge as prescribed in section
20 60-4,115 and issue a receipt which is valid for up to thirty days.
21 If an operator's license is being issued, the receipt shall also
22 authorize driving privileges for such thirty-day period.

23 (b) The operator's license and state identification card
24 shall be in a form prescribed by the department. The license and
25 card may include security features prescribed by the department.
26 The license and card shall be conspicuously marked Nebraska
27 Operator's License or Nebraska Identification Card, shall be,

1 to the maximum extent practicable, tamper and forgery proof, and
2 shall include the following information:

3 (i) The full legal name and principal residence address
4 of the holder;

5 (ii) The holder's full facial digital image;

6 (iii) A physical description of the holder, including
7 gender, height, weight, and eye and hair colors;

8 (iv) The holder's date of birth;

9 (v) The holder's signature;

10 (vi) The class of motor vehicle which the holder
11 is authorized to operate and any applicable endorsements or
12 restrictions;

13 (vii) The issuance and expiration date of the license or
14 card;

15 (viii) The organ and tissue donation information
16 specified in section 60-494; and

17 (ix) Such other marks and information as the director may
18 determine.

19 (c) Each operator's license and state identification card
20 shall contain the following encoded, machine-readable information:

21 The holder's full legal name; date of birth; gender; document issue
22 date; document expiration date; principal residence address; unique
23 identification number; revision date; inventory control number; and
24 state of issuance.

25 Sec. 14. Section 60-4,118.05, Reissue Revised Statutes of
26 Nebraska, is amended to read:

27 60-4,118.05 (1) No operator's license referred to in

1 section 60-4,118 shall, under any circumstances, be issued to any
2 person who has not attained the age of seventeen years.

3 (2) No operator's license shall be issued to a person
4 under eighteen years of age applying for an operator's license
5 under section 60-4,118 unless such person:

6 (a) Has possessed a valid provisional operator's permit
7 for at least a twelve-month period beginning on the date of
8 issuance of such person's provisional operator's permit; and

9 (b) Has not accumulated three or more points pursuant
10 to section 60-4,182 during the twelve-month period immediately
11 preceding the date of the application for the operator's license.
12 ~~+~~ and

13 ~~(c) Has surrendered the provisional operator's permit to~~
14 ~~the examiner.~~

15 (3) The ~~Department of Motor Vehicles~~ shall department
16 may waive the written examination and the driving test required
17 under section 60-4,118 for any person seventeen to twenty-one
18 years of age applying for his or her initial operator's license
19 if he or she has been issued a provisional operator's permit.
20 The department shall not waive the written examination and the
21 driving test required under this section if the person is applying
22 for a commercial driver's license or permit or if the operator's
23 license being applied for contains a class or endorsement which
24 is different from the class or endorsement of the provisional
25 operator's permit.

26 Sec. 15. Section 60-4,120.01, Revised Statutes
27 Supplement, 2007, is amended to read:

1 60-4,120.01 (1)(a) Any person who is at least sixteen
2 years of age but less than eighteen years of age may be issued a
3 provisional operator's permit by the Department of Motor Vehicles.
4 The provisional operator's permit shall expire on the applicant's
5 eighteenth birthday.

6 (b) No provisional operator's permit shall be issued to
7 any person unless such person:

8 (i) Has possessed a valid ~~Nebraska~~ LPD-learner's permit,
9 LPE-learner's permit, or SCP-school permit for at least a six-month
10 period beginning on the date of issuance of such person's
11 LPD-learner's permit, LPE-learner's permit, or SCP-school permit;
12 and

13 (ii) Has not accumulated three or more points pursuant to
14 section 60-4,182 during the six-month period immediately preceding
15 the date of the application for the provisional operator's permit.

16 (c) The requirements for the provisional operator's
17 permit prescribed in subdivisions (2)(a) and (b) of this section
18 may be completed prior to the applicant's sixteenth birthday. A
19 person may apply for a provisional operator's permit and take the
20 driving test and the written examination, if required, at any time
21 within sixty days prior to his or her sixteenth birthday upon proof
22 of age in the manner provided in section 60-484.

23 (2) In order to obtain a provisional operator's permit,
24 the applicant shall present ~~to the examiner~~ (a)(i) proof of
25 successful completion of a department-approved driver safety course
26 which includes behind-the-wheel driving specifically emphasizing
27 (A) the effects of the consumption of alcohol on a person

1 operating a motor vehicle, (B) occupant protection systems, (C)
2 risk assessment, and (D) railroad crossing safety and (ii) proof
3 of successful completion of a written examination and driving
4 test administered by a driver safety course instructor or (b)
5 a certificate in a form prescribed by the department, signed
6 by a parent, guardian, or licensed driver at least twenty-one
7 years of age, verifying that the applicant has completed fifty
8 hours of lawful motor vehicle operation including at least ten
9 hours of motor vehicle operation between sunset and sunrise,
10 under conditions that reflect department-approved driver safety
11 course curriculum, with a parent, guardian, or adult at least
12 twenty-one years of age, who has a current Nebraska operator's
13 license or who is licensed in another state. If the applicant
14 presents such a certificate, the applicant shall be required
15 to successfully complete a driving test administered by an
16 ~~examiner~~ of the department. The written examination shall be
17 waived if the applicant ~~surrenders~~ has been issued a Nebraska
18 LPD-learner's permit or has been issued a Nebraska LPE-learner's
19 permit ~~after January 1, 2006,~~ and such permit is valid or has been
20 expired for no more than one year, ~~prior to surrender.~~ However,
21 the department shall not waive the written examination if the
22 provisional operator's permit being applied for contains a class
23 or endorsement which is different from the class or endorsement of
24 the LPD-learner's or LPE-learner's permit. Upon presentation ~~to the~~
25 ~~examiner~~ by the applicant of a form prescribed by the department
26 showing successful completion of the driver safety course, the
27 ~~examiner shall waive the~~ written examination and driving test may

1 be waived. Upon presentation ~~to the examiner~~ of the certificate,
2 the ~~examiner shall waive the~~ written examination but not the
3 driving test may be waived. The examiner shall waive the written
4 examination and the driving test if the applicant has been issued a
5 school permit and such permit is valid or has expired no more than
6 one year prior to application. The written examination shall not
7 be waived if the provisional operator's permit being applied for
8 contains a class or endorsement which is different from the class
9 or endorsement of the school permit.

10 (3) (a) The holder of a provisional operator's permit
11 shall only operate a motor vehicle on the highways of this state
12 during the period beginning at 6 a.m. and ending at 12 midnight
13 except when he or she is en route to or from his or her residence
14 to his or her place of employment or a school activity. The holder
15 of a provisional operator's permit may operate a motor vehicle on
16 the highways of this state at any hour of the day or night if
17 accompanied by a parent, guardian, or adult at least twenty-one
18 years of age, who has a current Nebraska operator's license or who
19 is licensed in another state.

20 (b) The holder of a provisional operator's permit shall
21 only operate a motor vehicle on the highways of this state during
22 the first six months of holding the permit with no more than one
23 passenger who is not an immediate family member and who is under
24 nineteen years of age.

25 (c) The holder of a provisional operator's permit shall
26 not use any type of interactive wireless communication device while
27 operating a motor vehicle on the highways of this state.

1 (d) Enforcement of subdivisions (a), (b), and (c) of this
2 subsection shall be accomplished only as a secondary action when
3 the holder of the provisional operator's permit has been cited or
4 charged with a violation of some other law.

5 (4) The county treasurer shall collect the fee and
6 surcharge prescribed in section 60-4,115 for the issuance of each
7 provisional operator's permit.

8 Sec. 16. Section 60-4,122, Reissue Revised Statutes of
9 Nebraska, is amended to read:

10 60-4,122 (1) Except as otherwise provided in subsections
11 (2), (3), and (8) of this section, no original or renewal
12 operator's license shall be issued to any person until such
13 person has ~~appeared before an examiner to demonstrate~~ demonstrated
14 his or her ability to operate a motor vehicle safely as provided in
15 section 60-4,114.

16 (2) Except as otherwise provided in this section and
17 section 60-4,127, any person who renews his or her Class O or
18 Class M license shall ~~appear before an examiner to demonstrate~~
19 his or her ability to drive and maneuver a motor vehicle safely
20 as provided in subdivision (3)(b) of section 60-4,114 only at
21 the discretion of ~~the examiner,~~ department personnel, except that
22 a person required to use bioptic or telescopic lenses shall be
23 required to demonstrate his or her ability to drive and maneuver a
24 motor vehicle safely each time he or she renews his or her license.

25 (3) Any person who renews his or her Class O or Class M
26 license prior to or within one year after its expiration ~~shall~~ may
27 not be required to demonstrate his or her knowledge of the motor

1 vehicle laws of this state as provided in subdivision (3)(c) of
2 section 60-4,114 if his or her driving record abstract maintained
3 in the computerized records of the ~~Department of Motor Vehicles~~
4 department shows that such person's license is not suspended,
5 revoked, or canceled.

6 (4) Except for operators' licenses issued to persons
7 required to use bioptic or telescopic lenses, any person who renews
8 his or her operator's license which has been valid for fifteen
9 months or less shall not be required to take any examination
10 required under section 60-4,114.

11 (5) Any person who renews a state identification card
12 shall appear before ~~an examiner~~ department personnel and present
13 his or her current state identification card or shall follow the
14 procedure for electronic renewal in subsection (9) of this section.
15 ~~The examining officer, upon examination of the card, may require~~
16 ~~one additional form of proof of identification described in section~~
17 ~~60-484. Proof of identification shall be required as prescribed in~~
18 sections 60-484 and 60-4,181.

19 (6) A nonresident who applies for an initial operator's
20 license in this state and who holds a valid operator's license from
21 another state which is his or her state of residence shall may
22 not be required to demonstrate his or her knowledge of the motor
23 vehicle laws of this state if he or she surrenders to the examiner
24 his or her valid out-of-state operator's license.

25 (7) An applicant for an original operator's license shall
26 may not be required to demonstrate his or her knowledge of the
27 motor vehicle laws of this state if he or she ~~surrenders to~~

1 ~~the examiner his or her~~ has been issued a Nebraska LPD-learner's
2 permit issued after January 1, 1999, and such permit that is
3 valid or has been expired for no more than one year, prior to
4 ~~surrender.~~ The written examination shall not be waived if the
5 original operator's license being applied for contains a class or
6 endorsement which is different from the class or endorsement of the
7 Nebraska LPD-learner's permit.

8 (8) A qualified licensee as determined by the department
9 who is twenty-one years of age or older and less than sixty-five
10 years of age and who has a digital image and digital signature
11 preserved in the digital system may renew his or her Class O or
12 Class M license once by electronic means in a manner prescribed
13 by the department using the preserved digital image and digital
14 signature without taking any examination required under section
15 60-4,114 if such renewal is prior to or within one year after
16 the expiration of the license and if his or her driving record
17 abstract maintained in the records of the department shows that
18 such person's license is not suspended, revoked, or canceled. Every
19 licensee must apply for renewal in person at least once every ten
20 years and have a new digital image and digital signature taken.

21 (9) Any person who is twenty-one years of age or older
22 and who has been issued a state identification card with a digital
23 image and digital signature may electronically renew his or her
24 state identification card once by electronic means in a manner
25 prescribed by the department using the preserved digital image
26 and digital signature. Every holder of a state identification card
27 shall apply for renewal in person at least once every ten years and

1 have a new digital image and digital signature taken.

2 Sec. 17. Section 60-4,123, Revised Statutes Supplement,
3 2007, is amended to read:

4 60-4,123 (1) Any person who is at least fifteen years of
5 age may apply for an LPD-learner's permit from the ~~Department of~~
6 ~~Motor Vehicles-~~ department. In order to obtain an LPD-learner's
7 permit, the applicant shall successfully complete a written
8 examination. A person may take the written examination beginning
9 sixty days prior to his or her fifteenth birthday but shall not
10 be issued a permit until he or she is fifteen years of age. The
11 written examination ~~shall~~ may be waived for any person who has been
12 issued an LPE-learner's permit, LPD-learner's permit, or SCP-school
13 permit that has been expired for no more than one year. ~~after~~
14 ~~January 1, 2006.~~

15 (2) Upon successful completion of the written examination
16 and the payment of a fee and surcharge as prescribed in section
17 60-4,115, the applicant shall be issued an LPD-learner's permit
18 ~~from the county treasurer-~~ as provided in section 60-4,113. The
19 permit shall be valid for twelve months.

20 (3) (a) The holder of an LPD-learner's permit shall only
21 operate a motor vehicle on the highways of this state if he or
22 she is accompanied at all times by a licensed operator who is at
23 least twenty-one years of age and who has been licensed by this
24 state or another state and if he or she is actually occupying the
25 seat beside the licensed operator or, in the case of a motorcycle
26 or moped, if he or she is within visual contact of and under the
27 supervision of, in the case of a motorcycle, a licensed motorcycle

1 operator or, in the case of a moped, a licensed motor vehicle
2 operator.

3 (b) The holder of an LPD-learner's permit shall not
4 use any type of interactive wireless communication device while
5 operating a motor vehicle on the highways of this state.
6 Enforcement of this subdivision shall be accomplished only as a
7 secondary action when the holder of the LPD-learner's permit has
8 been cited or charged with a violation of some other law.

9 (4) The county treasurer shall collect the fee and
10 surcharge prescribed in section 60-4,115 for the issuance of each
11 LPD-learner's permit.

12 Sec. 18. Section 60-4,124, Revised Statutes Supplement,
13 2007, is amended to read:

14 60-4,124 (1) A person who is younger than sixteen years
15 and three months of age but is older than fourteen years and
16 two months of age may be issued, ~~by the county treasurer,~~
17 a school permit if such person lives a distance of one and
18 one-half miles or more from the school he or she attends and
19 either resides outside a city of the metropolitan, primary, or
20 first class or attends a school which is outside a city of the
21 metropolitan, primary, or first class and if such person has
22 held an LPE-learner's permit for two months. A school permit
23 shall not be issued until such person has ~~appeared before an~~
24 ~~examiner to demonstrate~~ demonstrated that he or she is capable
25 of successfully operating a motor vehicle, moped, or motorcycle
26 and has in his or her possession an examiner's certificate or
27 issuance certificate authorizing the county treasurer to issue a

1 school permit. In order to obtain an examiner's certificate or
2 issuance certificate, the applicant shall present ~~to the examiner~~
3 (a) proof of successful completion of a department-approved driver
4 safety course which includes behind-the-wheel driving specifically
5 emphasizing (i) the effects of the consumption of alcohol on a
6 person operating a motor vehicle, (ii) occupant protection systems,
7 (iii) risk assessment, and (iv) railroad crossing safety and (b) (i)
8 proof of successful completion of a written examination and driving
9 test administered by a driver safety course instructor or (ii)
10 a certificate in a form prescribed by the department, signed by
11 a parent, guardian, or licensed driver at least twenty-one years
12 of age, verifying that the applicant has completed fifty hours
13 of lawful motor vehicle operation, under conditions that reflect
14 department-approved driver safety course curriculum, with a parent,
15 guardian, or adult at least twenty-one years of age, who has a
16 ~~then~~ current Nebraska operator's license or who is licensed in
17 another state. The ~~Department of Motor Vehicles shall~~ department
18 may waive the written examination if the applicant ~~surrenders~~
19 has been issued an LPE-learner's permit ~~issued after January 1,~~
20 ~~2006,~~ or LPD-learner's permit and if such permit is valid or has
21 expired no more than one year prior to application. The written
22 examination shall not be waived if the permit being applied for
23 contains a class or endorsement which is different from the class
24 or endorsement of the LPE-learner's permit.

25 (2) A person holding a school permit may operate a motor
26 vehicle, moped, or motorcycle:

27 (a) To and from where he or she attends school and

1 between schools of enrollment over the most direct and accessible
2 route by the nearest highway from his or her place of residence
3 to transport such person or any family member who resides with
4 such person to attend duly scheduled courses of instruction and
5 extracurricular or school-related activities at the school he or
6 she attends; or

7 (b) Under the personal supervision of a licensed
8 operator. Such licensed operator shall be at least twenty-one years
9 of age and licensed by this state or another state and shall
10 actually occupy the seat beside the permitholder or, in the case of
11 a motorcycle or moped, if the permitholder is within visual contact
12 of and under the supervision of, in the case of a motorcycle, a
13 licensed motorcycle operator or, in the case of a moped, a licensed
14 motor vehicle operator.

15 (3) The holder of a school permit shall not use any
16 type of interactive wireless communication device while operating a
17 motor vehicle on the highways of this state. Enforcement of this
18 subsection shall be accomplished only as a secondary action when
19 the holder of the school permit has been cited or charged with a
20 violation of some other law.

21 (4) A person who is younger than sixteen years of age
22 but is over fourteen years of age may be issued an LPE-learner's
23 permit, ~~from the county treasurer,~~ which permit shall be valid
24 for a period of three months. An LPE-learner's permit shall not
25 be issued until such person successfully completes a written
26 examination prescribed by the department and demonstrates that he
27 or she has sufficient powers of eyesight to safely operate a motor

1 vehicle, moped, or motorcycle.

2 (5) (a) While holding the LPE-learner's permit, the person
3 may operate a motor vehicle on the highways of this state if he
4 or she has seated next to him or her a person who is a licensed
5 operator or, in the case of a motorcycle or moped, if he or she is
6 within visual contact of and is under the supervision of a person
7 who, in the case of a motorcycle, is a licensed motorcycle operator
8 or, in the case of a moped, is a licensed motor vehicle operator.
9 Such licensed motor vehicle or motorcycle operator shall be at
10 least twenty-one years of age and licensed by this state or another
11 state.

12 (b) The holder of an LPE-learner's permit shall not
13 use any type of interactive wireless communication device while
14 operating a motor vehicle on the highways of this state.
15 Enforcement of this subdivision shall be accomplished only as a
16 secondary action when the holder of the LPE-learner's permit has
17 been cited or charged with a violation of some other law.

18 (6) The county treasurer shall collect the fee and
19 surcharge prescribed in section 60-4,115 from each successful
20 applicant for a school or LPE-learner's permit. All school permits
21 shall be subject to impoundment or revocation under the terms of
22 section 60-496. Any person who violates the terms of a school
23 permit shall be guilty of an infraction and shall not be eligible
24 for another ~~operator's license or~~ school, farm, LPD-learner's, or
25 LPE-learner's permit until he or she has attained the age of
26 sixteen years.

27 Sec. 19. Section 60-4,126, Reissue Revised Statutes of

1 Nebraska, is amended to read:

2 60-4,126 Any person who is younger than sixteen years of
3 age but is over thirteen years of age and resides upon a farm in
4 this state or is fourteen years of age or older and is employed
5 for compensation upon a farm in this state may obtain a farm permit
6 authorizing the operation of farm tractors and other motorized
7 implements of farm husbandry upon the highways of this state
8 if the applicant for such farm permit furnishes ~~to an examiner~~
9 satisfactory proof of age and satisfactorily demonstrates ~~to the~~
10 ~~examiner~~ that he or she has knowledge of the operation of such
11 equipment and of the rules of the road and laws respecting the
12 operation of motor vehicles upon the highways of this state. Any
13 person under sixteen years of age but not less than thirteen years
14 of age may obtain a temporary permit to operate such equipment
15 for a six-month period after presentation to the ~~Department of~~
16 ~~Motor Vehicles~~ department of a request for the temporary permit
17 signed by the person's parent or guardian and payment of the fee
18 and surcharge prescribed in section 60-4,115. After the expiration
19 of the six-month period, it shall be unlawful for such person to
20 operate such equipment upon the highways of this state unless he or
21 she has been issued a farm permit under this section. The fee for
22 an original, renewal, or duplicate farm permit shall be the fee and
23 surcharge prescribed in section 60-4,115. All farm permits shall be
24 subject to revocation under the terms of section 60-496. Any person
25 who violates the terms of a farm permit shall be guilty of an
26 infraction and shall not be eligible for another ~~operator's license~~
27 ~~or~~ school, farm, LPD-learner's, or LPE-learner's permit until he or

1 she has attained the age of sixteen years. ~~Farm permits are not~~
2 ~~part of the digital system implemented under section 60-484.01 and~~
3 ~~may not be issued or renewed electronically.~~

4 Sec. 20. Section 60-4,127, Reissue Revised Statutes of
5 Nebraska, is amended to read:

6 60-4,127 (1) No person shall operate a motorcycle on the
7 alleys or highways of the State of Nebraska until such person
8 has obtained a Class M license. No such license shall be issued
9 until the applicant has appeared before an ~~examiner~~ and ~~(1)~~
10 ~~satisfied the examiner that he or she meets~~ (a) met the vision
11 and physical requirements established under section 60-4,118 for
12 operation of a motor vehicle and ~~(2)~~ (b) successfully completed
13 an examination, including the actual operation of a motorcycle,
14 prescribed by the director, except that an ~~examiner~~ shall waive
15 the required examination may be waived, including the actual
16 operation of a motorcycle, if the applicant presents proof of
17 successful completion of a motorcycle safety course under the
18 Motorcycle Safety Education Act within the immediately preceding
19 forty-eight months. ~~or if the driving record abstract of the~~
20 ~~applicant maintained in the computerized records of the Department~~
21 ~~of Motor Vehicles shows that the applicant has had no traffic~~
22 ~~violations as described in section 60-4,182 from the date the~~
23 ~~applicant's operator's license was last issued to the date of the~~
24 ~~abstract.~~

25 (2) (a) This subdivision applies until the implementation
26 date designated by the director pursuant to section 2 of this act.

27 Any applicant who qualifies for a Class M license shall be issued a

1 license for such operation by the county treasurer as provided for
2 the issuance of an operator's license. If the applicant ~~or if he~~
3 ~~or she~~ is the holder of an operator's license, the county treasurer
4 shall, upon receipt of the examiner's certificate, ~~endorse~~ have
5 endorsed on the license the authorization to operate a motorcycle.
6 Fees for Class M licenses shall be as provided by section 60-4,115.

7 (b) This subdivision applies beginning on the
8 implementation date designated by the director pursuant to section
9 2 of this act. Upon presentation of an issuance certificate, the
10 county treasurer shall collect the fee and surcharge for a Class
11 M license as prescribed by section 60-4,115 and issue a receipt
12 with driving privileges which is valid for up to thirty days. The
13 license shall be delivered as provided in section 60-4,113. If
14 the applicant is the holder of an operator's license, the county
15 treasurer shall, upon receipt of the examiner's certificate, have
16 endorsed on the license the authorization to operate a motorcycle.
17 Fees for Class M licenses shall be as provided by section 60-4,115.

18 Sec. 21. Section 60-4,144, Revised Statutes Cumulative
19 Supplement, 2006, is amended to read:

20 60-4,144 ~~(1)~~ (1)(a) This subsection applies until the
21 implementation date designated by the director pursuant to section
22 2 of this act. Application for any original or renewal commercial
23 driver's license or application for any change of class of
24 commercial motor vehicle, endorsement, or restriction may be
25 made in a manner prescribed by the department. Such application
26 may be made to an examiner in any county. The examiner shall
27 personally conduct the examination of the applicant and deliver to

1 each successful applicant an examiner's certificate containing the
2 statements made pursuant to ~~subsection (2)~~ subdivision (b) of this
3 ~~section~~ subsection.

4 ~~(2)~~ (b) The application or examiner's certificate shall
5 include the voter registration portion pursuant to section 32-308,
6 the advisement language required by subsection (5) of section
7 60-6,197, and the following:

8 ~~(a)~~ (i) The full name, the current mailing address,
9 and the residential address of the applicant, except that
10 if the applicant is a program participant under the Address
11 Confidentiality Act, he or she need not supply his or her
12 residential address;

13 ~~(b)~~ (ii) A physical description of the applicant,
14 including sex, height, weight, and eye and hair colors;

15 ~~(c)~~ (iii) The applicant's date of birth;

16 ~~(d)~~ (iv) The applicant's social security number;

17 ~~(e)~~ (v) The applicant's signature;

18 ~~(f)~~ (vi) Certification that the commercial motor vehicle
19 in which the applicant takes any driving skills examination is
20 representative of the class of commercial motor vehicle that the
21 applicant operates or expects to operate;

22 ~~(g)~~ (vii) The certification required pursuant to section
23 60-4,145 or 60-4,146;

24 ~~(h)~~ (viii) Beginning September 30, 2005, the names of all
25 states where the applicant has been licensed to operate any type of
26 motor vehicle in the ten years prior to the date of application;

27 ~~(i)~~ (ix) The following specific questions:

1 ~~(i)~~ (A) Have you within the last three months (e.g. due
2 to diabetes, epilepsy, mental illness, head injury, stroke, heart
3 condition, neurological disease, etc.):

4 ~~(A)~~ (I) lost voluntary control or consciousness ... yes
5 ... no

6 ~~(B)~~ (II) experienced vertigo or multiple episodes of
7 dizziness or fainting ... yes ... no

8 ~~(C)~~ (III) experienced disorientation ... yes ... no

9 ~~(D)~~ (IV) experienced seizures ... yes ... no

10 ~~(E)~~ (V) experienced impairment of memory, memory loss ...
11 yes ... no

12 Please explain:

13 ~~(ii)~~ (B) Do you experience any condition which affects
14 your ability to operate a motor vehicle? (e.g. due to loss
15 of or impairment of foot, leg, hand, or arm; neurological or
16 neuromuscular disease, etc.) ... yes ... no

17 Please explain:

18 ~~(iii)~~ (C) Since the issuance of your last driver's
19 license/permit has your health or medical condition changed or
20 worsened? ... yes ... no

21 Please explain, including how the above affects your
22 ability to drive:

23 ~~(j)~~ (x) Do you wish to register to vote as part of this
24 application process?

25 OPTIONAL - YOU ARE NOT REQUIRED TO ANSWER ANY OF THE
26 FOLLOWING QUESTIONS:

27 ~~(k)~~ (xi) Do you wish to be an organ and tissue donor?

1 ~~(1)~~ (xii) Do you wish to receive any additional specific
2 information regarding organ and tissue donation and the Donor
3 Registry of Nebraska?

4 ~~(m)~~ (xiii) Do you wish to donate \$1 to promote the Organ
5 and Tissue Donor Awareness and Education Fund?

6 ~~(3)~~ (c) Application shall be made under oath or
7 affirmation of the applicant.

8 (2) This subsection applies beginning on the
9 implementation date designated by the director pursuant to
10 section 2 of this act. An applicant for any original or renewal
11 commercial driver's license or an applicant for a change of
12 class of commercial motor vehicle, endorsement, or restriction
13 shall demonstrate his or her knowledge and skills for operating
14 a commercial motor vehicle as prescribed in the Motor Vehicle
15 Operator's License Act. An applicant for a commercial driver's
16 license shall provide the information and documentation required by
17 this section and section 60-484. Such information and documentation
18 shall include:

19 (a) Certification that the commercial motor vehicle
20 in which the applicant takes any driving skills examination is
21 representative of the class of commercial motor vehicle that the
22 applicant operates or expects to operate;

23 (b) The certification required pursuant to section
24 60-4,145 or 60-4,146; and

25 (c) The names of all states where the applicant has been
26 licensed to operate any type of motor vehicle in the ten years
27 prior to the date of application.

1 Sec. 22. Section 60-4,148, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 60-4,148 (1) All commercial drivers' licenses shall be
4 issued by the ~~Department of Motor Vehicles~~ department as provided
5 in section 60-4,149. Successful applicants shall pay ~~to the county~~
6 ~~treasurer~~ the fee and surcharge prescribed in section 60-4,115.

7 (2) Any person making application to add or remove
8 a class of commercial motor vehicle, any endorsement, or any
9 restriction to or from a previously issued and outstanding
10 commercial driver's license shall pay the fee and surcharge
11 prescribed in section 60-4,115. The fee for an original or
12 renewal seasonal permit to revalidate the restricted commercial
13 motor vehicle operating privilege to a previously issued and
14 outstanding restricted commercial driver's license shall be the fee
15 and surcharge prescribed in section 60-4,115.

16 Sec. 23. Section 60-4,149, Reissue Revised Statutes of
17 Nebraska, is amended to read:

18 60-4,149 (1) The examination for commercial drivers'
19 licenses by the ~~Department of Motor Vehicles~~ department shall occur
20 in and for each county of the State of Nebraska. Each county shall
21 furnish office space for the administration of the examinations,
22 except that two or more counties may, with the permission of the
23 director, establish a separate facility to jointly conduct the
24 examinations for such licenses.

25 (2) Except as provided for by section 60-4,157, all
26 commercial driver's license examinations shall be conducted by
27 ~~examiners~~ department personnel designated by the director. ~~The~~

1 ~~examiner shall deliver to each~~ Each successful applicant shall be
2 issued a certificate entitling the applicant to secure a commercial
3 driver's license. If ~~the examiner refuses~~ department personnel
4 refuse to issue such certificate for cause, he or she shall state
5 such cause in writing and deliver the same to the applicant.
6 ~~An examiner is not~~ Department personnel shall not be required
7 to hold a commercial driver's license to administer a driving
8 skills examination and occupy the seat beside an applicant for a
9 commercial driver's license.

10 ~~(3)~~ (3) (a) This subdivision applies until the
11 implementation date designated by the director pursuant to section
12 2 of this act. The successful applicant shall, within thirty days,
13 present his or her certificate to the county treasurer who shall
14 immediately issue the commercial driver's license and collect the
15 fee. The county treasurer shall report the issuance of commercial
16 drivers' licenses and LPC-learners' permits to the department
17 within five days after issuance.

18 (b) This subdivision applies beginning on the
19 implementation date designated by the director pursuant to section
20 2 of this act. The successful applicant shall, within thirty days,
21 present his or her certificate to the county treasurer who shall
22 collect the fee and surcharge as provided in section 60-4,115 and
23 issue a receipt with driving privileges which is valid for up to
24 thirty days. The commercial driver's license shall be delivered to
25 the applicant as provided in section 60-4,113.

26 Sec. 24. Section 60-4,150, Revised Statutes Cumulative
27 Supplement, 2006, is amended to read:

1 60-4,150 (1) Any person holding a commercial driver's
2 license who loses his or her license, who requires issuance of
3 a replacement license because of a change of name or address, or
4 whose license is mutilated or unreadable may obtain a duplicate or
5 replacement commercial driver's license by filing ~~with an examiner~~
6 ~~of the Department of Motor Vehicles~~ an application and affidavit
7 and by furnishing proof of identification in accordance with
8 section 60-484.

9 (2) The application for a replacement license because of
10 a change of name or address shall be made within sixty days after
11 the change of name or address.

12 ~~(3)~~ (3) (a) This subdivision applies until the
13 implementation date designated by the director pursuant to section
14 2 of this act. Upon the examiner being satisfied that a duplicate
15 or replacement commercial driver's license should be issued, the
16 applicant shall receive such license upon payment of the fee
17 prescribed in section 60-4,115 to the county treasurer.

18 (b) This subdivision applies beginning on the
19 implementation date designated by the director pursuant to section
20 2 of this act. A duplicate or replacement commercial driver's
21 license shall be delivered to the applicant as provided in section
22 60-4,113 after the county treasurer collects the fee and surcharge
23 prescribed in section 60-4,115 and issues the applicant a receipt
24 with driving privileges which is valid for up to thirty days.

25 (4) Duplicate and replacement commercial drivers'
26 licenses shall be issued in the manner provided for the issuance of
27 original and renewal commercial drivers' licenses as provided for

1 by section 60-4,149. ~~No more than two duplicate commercial drivers'~~
2 ~~licenses shall be issued to any applicant in any five-year period.~~

3 Upon issuance of any duplicate or replacement commercial driver's
4 license, the commercial driver's license for which the duplicate or
5 replacement license is issued shall be void.

6 Sec. 25. Section 60-4,151, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 60-4,151 ~~(1)~~ (1) (a) The commercial driver's license shall
9 be conspicuously marked Nebraska Commercial Driver's License, and
10 shall be, to the maximum extent practicable, tamper and forgery
11 proof, and

12 (b) This subdivision applies until the implementation
13 date designated by the director pursuant to section 2 of this
14 act. The commercial driver's license shall include the following
15 information:

16 ~~(a)~~ (i) The name and residential address of the holder;

17 ~~(b)~~ (ii) The holder's color photograph or digital image;

18 ~~(c)~~ (iii) A physical description of the holder, including
19 sex, height, weight, and eye and hair colors;

20 ~~(d)~~ (iv) The holder's date of birth;

21 ~~(e)~~ (v) The holder's signature;

22 ~~(f)~~ (vi) The class of commercial motor vehicle or
23 vehicles which the holder is authorized to operate, including
24 any endorsements or restrictions;

25 ~~(g)~~ (vii) The dates between which the commercial driver's
26 license is valid; and

27 ~~(h)~~ (viii) The organ and tissue donor information

1 specified in section 60-494.

2 (c) This subdivision applies beginning on the
3 implementation date designated by the director pursuant to section
4 2 of this act. The form of the commercial driver's license shall
5 also comply with section 60-4,117.

6 (2) The restricted commercial driver's license shall
7 be conspicuously marked Nebraska Restricted Commercial Driver's
8 License and shall be, to the maximum extent practicable, tamper
9 and forgery proof. The restricted commercial driver's license shall
10 contain such additional information as deemed necessary by the
11 director.

12 (3) The seasonal permit shall contain such information as
13 deemed necessary by the director but shall include the time period
14 during which the commercial motor vehicle operating privilege is
15 effective. The seasonal permit shall be valid only when held in
16 conjunction with a restricted commercial driver's license.

17 Sec. 26. Section 60-4,181, Reissue Revised Statutes of
18 Nebraska, is amended to read:

19 60-4,181 ~~(1)~~ (1)(a) This subsection applies until the
20 implementation date designated by the director pursuant to section
21 2 of this act. A state identification card shall be issued by the
22 county treasurer after the person requesting the card ~~(a)~~ (i) files
23 an application or examiner's certificate with an examining officer,
24 ~~(b)~~ (ii) furnishes two forms of proof of identification described
25 in section 60-484, and ~~(e)~~ (iii) pays the fee prescribed in section
26 60-4,115 to the county treasurer. The state identification card
27 shall contain the organ and tissue donor information specified in

1 section 60-494.

2 ~~(2)~~ (b) The application or examiner's certificate shall
3 include the name, age, post office address, place of residence
4 unless the applicant is a program participant under the Address
5 Confidentiality Act, date of birth, sex, social security number,
6 and physical description of the applicant, the voter registration
7 portion pursuant to section 32-308, and the following:

8 ~~(a)~~ (i) Do you wish to register to vote as part of this
9 application process?

10 ~~(b)~~ (ii) Do you wish to be an organ and tissue donor?

11 ~~(c)~~ (iii) Do you wish to receive any additional specific
12 information regarding organ and tissue donation and the Donor
13 Registry of Nebraska?

14 ~~(d)~~ (iv) Do you wish to donate \$1 to promote the Organ
15 and Tissue Donor Awareness and Education Fund?

16 (c) Machine-readable information encoded on a state
17 identification card shall be limited to the information appearing
18 on the face of the card.

19 (2) This subsection applies beginning on the
20 implementation date designated by the director pursuant to
21 section 2 of this act. Each applicant for a state identification
22 card shall provide the information and documentation required by
23 section 60-484. The form of the state identification card shall
24 comply with section 60-4,117. Upon presentation of an applicant's
25 issuance certificate, the county treasurer shall collect the fee
26 and surcharge as prescribed in section 60-4,115 and issue a receipt
27 to the applicant which is valid up to thirty days. The state

1 identification card shall be delivered to the applicant as provided
2 in section 60-4,113.

3 (3) The director may summarily cancel any state
4 identification card, and any judge or magistrate may order a
5 state identification card canceled in a judgment of conviction, if
6 the application or examiner's certificate for the card contains
7 any false or fraudulent statements which were deliberately and
8 knowingly made as to any matter material to the issuance of the
9 card or if the application or examiner's certificate or issuance
10 certificate does not contain required or correct information. Any
11 state identification card so obtained shall be void from the date
12 of issuance. Any judgment of conviction ordering cancellation of a
13 state identification card shall be transmitted to the director who
14 shall cancel the card.

15 ~~(4) Machine-readable information encoded on a state~~
16 ~~identification card shall be limited to the information appearing~~
17 ~~on the face of the card.~~

18 Sec. 27. Original sections 60-479, 60-4,112, 60-4,113,
19 60-4,117, 60-4,118.05, 60-4,122, 60-4,126, 60-4,127, 60-4,148,
20 60-4,149, 60-4,151, and 60-4,181, Reissue Revised Statutes of
21 Nebraska, sections 60-484, 60-4,115, 60-4,144, and 60-4,150,
22 Revised Statutes Cumulative Supplement, 2006, and sections 60-462,
23 60-463, 60-4,120.01, 60-4,123, and 60-4,124, Revised Statutes
24 Supplement, 2007, are repealed.